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9
10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 DAVID TROYER, an individual,) **CASE NO.: 2:19-cv-01056-APG-DJA**
13)
Plaintiff,) **STIPULATION AND ORDER TO**
14 vs.) **EXTEND TIME FOR PLAINTIFF TO**
LIBERTY MUTUAL INSURANCE) **RESPOND TO DEFENDANTS' MOTION**
15 COMPANY, a Massachusetts corporation;) **FOR SUMMARY JUDGMENT**
LIBERTY INSURANCE CORPORATION, a) **[FIRST REQUEST]**
16 Massachusetts corporation; LM GENERAL)
INSURANCE COMPANY, a Massachusetts)
17 corporation; DOES I-X, and ROE)
CORPORATIONS I-X;)
18 Defendants.)

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20 **COME NOW**, Defendants, LIBERTY MUTUAL INSURANCE COMPANY,
21 LIBERTY INSURANCE CORPORATION AND LM GENERAL INSURANCE COMPANY
22 (hereinafter also referred to as "Defendants"), by and through their attorneys, the law firm of
23 KOELLER, NEBEKER, CARLSON & HALUCK, LLP, and Plaintiff, DAVID TROYER
24 (hereinafter also referred to as "Plaintiff"), by and through his attorneys of record, Marc A.
25 Saggese, Esq., and Mark J. Willoughby, Esq., of SAGGESE & ASSOCIATES, and hereby submit
26 this joint Stipulation and Order to Extend Time for Plaintiff to Respond to Defendants' Motion
27 for Summary Judgment (ECF #45). This is the first request to extend time for Plaintiff's response
28 to Defendants' Motion for Summary Judgment (ECF #45).

STIPULATION

IT IS HEREBY STIPULATED BY AND BETWEEN, Defendants and Plaintiff, that Plaintiff shall have an additional seventy-five (75) days to respond to Defendants' Motion for Summary Judgment (ECF #45). The parties agree the new deadline will be February 28, 2022.

A. CURRENT AND PROPOSED DATES

Current Deadline for Plaintiff Response: December 15, 2021

Proposed Deadline for Plaintiff Response: February 28, 2022

Proposed Deadline for Defendants' Reply: 14 Days After Service of Plaintiff Response per LR 7-2(b)

B. REASONS FOR REQUESTED EXTENSION

On November 24, 2021, Defendants filed their Motion for Summary Judgment (ECF #45) and Opposition to Plaintiff's Motion to Extend Time to Take Discovery (ECF #44). In the Opposition, Defendants expressly noted their amenability to extension of time for Plaintiff to respond to the Motion for Summary Judgment. (*See*, Opposition to Plaintiff's Motion to Extend Time to Take Discovery at 7, fn. 2, on file herein, ECF #44.)

Plaintiff filed his Motion to Stay Defendants' Motion for Summary Judgment on December 7, 2021 (ECF #47). Counsel for Plaintiff was advised Defendants would provide additional time for Plaintiff to respond to the Motion for Summary Judgment (ECF #45) following completion of the depositions of Katharine Houlihan and Defendants' representative witness, Bryce Ridenhour, which are scheduled to occur on December 14, 2021, and George Romano.

Defendants and Plaintiff agree to additional time for Plaintiff's response to the Motion for Summary Judgment (ECF #45) for the purpose of permitting acquisition of the transcripts of the above-referenced depositions. Plaintiff agrees to withdraw the Motion to Stay Defendants'

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1 Motion for Summary Judgment (ECF #47) once the Court has approved of and entered the instant
2 Stipulation and Order.

3 **IT IS SO STIPULATED.**

4 DATED this 14th day of December, 2021.

DATED this 14th day of December, 2021.

5 KOELLER, NEBEKER, CARLSON
& HALUCK, LLP

SAGGESE & ASSOCIATES

6 By: /s/ Andrew C. Green
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11 CORPORATION and LM GENERAL
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DAVID TROYER

12 **ORDER**

13 **IT IS HEREBY ORDERED** Plaintiff shall have until February 28, 2022 to respond to
14 Defendants' Motion for Summary Judgment (ECF #45) and Defendants shall have fourteen (14)
15 days following Plaintiff's response to file its Reply in support of the Motion for Summary
16 Judgment.

17 
18 UNITED STATES DISTRICT JUDGE

19 DATED: December 15, 2021

20 Respectfully Submitted by:

21 KOELLER, NEBEKER, CARLSON
& HALUCK, LLP

22 By: /s/ Andrew C. Green
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